

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 2034 - SB 2305**

March 22, 2022

**SUMMARY OF BILL AS AMENDED (012757, 016306):** Prohibits an owner from leaving a dog outside and unattended by use of a restraint without: (a) adequate shelter; (b) an area sufficient to avoid standing water and exposure to excessive animal waste, and; (c) potable water.

Prohibits an owner from restraining a dog outside and unattended by use of a restraint that either: (a) has weights attached; (b) is either shorter in length than five times the length of the dog, or ten feet, whichever is greater, or; (c) is attached to a collar or harness that is not properly fitted.

Creates a Class C misdemeanor offense for a violation of these prohibitions. Creates a Class B misdemeanor for second or subsequent violations.

**FISCAL IMPACT OF BILL AS AMENDED:**

**NOT SIGNIFICANT**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 39-14-202, a person commits the offense of cruelty to animals if, among other things, that person intentionally or knowingly fails unreasonably to provide necessary food, water, care or shelter for an animal in the person's custody; transports or confines an animal in a cruel manner; or ties, tethers, or restrains a dog in a manner that results in the dog suffering bodily injury.
- Cruelty to animals is a Class A misdemeanor; a second or subsequent offense of cruelty to animals is a Class E felony.
- It is assumed that persons who engage in the practices the proposed legislation seeks to prohibit are currently subject to prosecution under the existing cruelty to animals statutes.
- While the proposed legislation creates new offenses with greater clarity and specificity than existing statutes, it is not estimated to result in a significant increase in either expenditures for incarcerations or revenue from fines.
- Any fiscal impact to state or local government is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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